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DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

UNITED STATES OF AMERICA, ) Criminal Case No. **08 CR 0719 L**  
Plaintiff, ) I N D I C T M E N T  
v. ) Title 8, U.S.C., Secs. 1326(a)  
RIGOBERTO HERNANDEZ-RIVERA, ) and (b) - Attempted Entry After  
Defendant. ) Deportation

The grand jury charges:

On or about January 24, 2008, within the Southern District of California, defendant RIGOBERTO HERNANDEZ-RIVERA, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

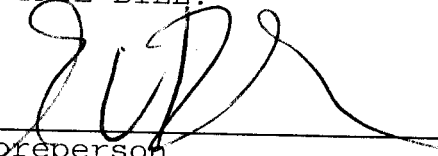
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CPH:em:San Diego  
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1 It is further alleged that defendant RIGOBERTO HERNANDEZ-RIVERA  
2 was removed from the United States subsequent to July 7, 2005.

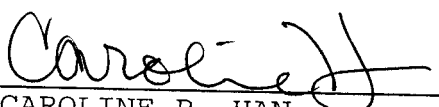
3 DATED: March 12, 2008.

4 A TRUE BILL:

5   
6  
7 Foreperson

8 KAREN P. HEWITT  
9 United States Attorney

10 By:

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12 CAROLINE P. HAN  
13 Assistant U.S. Attorney  
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